

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
**Katherine Cue-
Fuente**
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Summary Agenda/Minutes January 23, 2018 7:00 P.M.

Call to order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:08 p.m.

Roll Call

REPORT: Marbelys Fatjo, City Clerk, called the roll with all Council Members present.

- Council President Vivian Casáls-Muñoz
- Councilman Vice President Jose Caragol
- Councilwoman Katharine Cue-Fuente
- Councilwoman Isis Garcia-Martinez
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby

REPORT: Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation

REPORT: The invocation was led by Marbelys Fatjo, City Clerk.

Pledge of Allegiance

REPORT: The Pledge of Allegiance was led by Councilman Zogby.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by Marbelys Fatjo, City Clerk in English, and by Brigitte Leal, Office of the City Clerk, in Spanish.

PRESENTATIONS-

REPORT: Mayor Hernandez addressed all in attendance regarding Fire Chief Patrick Flynn.

REPORT: Patrick Flynn, Fire Chief, City of Hialeah, addressed the Mayor and City Council.

REPORT: Eric Johnson, Local 1102, spoke regarding the proposed appointment of Patrick Flynn as Fire Chief.

REPORT: With no objection from the City Council, Council President Casáls-Muñoz called Administrative Item 3G out of order.

3G. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Patrick Flynn, subject to civil service rules and regulations, to the position of Fire Chief. (ADMINISTRATION) **APPROVED 7-0.**

REPORT: Motion to Approve Item 3G made by Councilwoman Garcia-Martinez and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

REPORT: Mayor Hernandez left the City Council Meeting and did not return.

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- **The proposed ordinance for Administrative Item 3E has been updated and placed on the dais for the City Council's review.**

- Consent Item C has been amended to reflect the correct address.
- Administrative Item 3G has been added to today's agenda.
- The proposed ordinance for Item PZ 5 has been updated and placed on the dais for the City Council's review.
- Additional backup to Consent Item D has been placed on the dais for the City Council's review.
- A copy of the PowerPoint Presentation for Administrative Items 3E and 3F have been placed on the dais for the City Council's review.

2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Motion to Approve the Consent Agenda made by Councilwoman Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 7-0.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on January 9, 2018. (OFFICE OF THE CITY CLERK)
APPROVED 7-0
- B. Request permission to increase purchase order # 2018-351, issued to Communications & Network Solutions, Inc., sole source vendor, for repairs needed to several electrical boards, network cards and electrical gates throughout the headquarters of the Hialeah Police Department Headquarters, as well as Sectors one (1) through five (5), by an additional amount of \$25,000, for a new total cumulative amount not to exceed \$39,748.63. (POLICE DEPT.)
APPROVED 7-0
- C. Request permission to award Hialeah Invitation to Bid # T2016-17-9500-00-012-Roadway, Water & Sewer Improvements - NW 142nd Street from NW 97 Avenue to NW 107 Avenue, to JVA Engineering Contractor Inc, lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$4,887,949.94. (DEPT. OF PUBLIC WORKS)
APPROVED 7-0
- D. Request permission to utilize GSA Contract # GS-35F-0124U - General Purpose Commercial Information Technology Equipment, Software, and Services - effective through December 11, 2022, and issue a purchase order to CivicPlus, Inc., for the purchase and implementation of a new website and mobile application for the City, in a

total cumulative amount not to exceed \$148,155. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 7-0

- E. Proposed resolution approving the expenditure totaling an amount not to exceed sixty thousand dollars (60,000.00) from the Law Enforcement Trust Fund - *State*, for the rental of vehicles, from Royal Rent-A-Car Systems of Florida, Inc., vendor #21162, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)

APPROVED 7-0

RESOLUTION NO. 2018-004

- F. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties – Mid-Size 4-Door Utility Vehicles – 4X4 or AWD, Specification #28, and issue a purchase order to Alan Jay Automotive Management, Inc. d/b/a Alan Jay Automotive Network, to purchase two (2) new 2018 GMC Arcadia AWD (TNJ26), in a total cumulative amount not to exceed \$70,026 for both vehicles. (BUILDING)

APPROVED 7-0

- G. Request permission to award Hialeah Invitation to Bid # T2016-17-9500-00-013 - *New Pump Station NW 107 Avenue along 142nd Street*, to JVA Engineering Contractor Inc, lowest responsive and responsible bidder, in a total amount of \$438,500, and further request permission for authorization for a contingency amount of \$44,000 for unknown field conditions as needed, for a total cumulative amount not to exceed \$482,500. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- H. Request permission to issue a purchase order to Hazen and Sawyer, P.C., for engineering services related to the design and construction management services for Pump Station 106 Force Main, in a total cumulative amount not to exceed \$162,168. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- I. Request permission to award Hialeah Invitation to Bid # T2016-17-9500-00-020 - *Pump Station 106 Force Main Improvements*, to R.P. Utility & Excavation Corp, lowest responsive and responsible bidder, in a total amount of \$1,015,000, and further request permission for authorization for a contingency amount not to exceed \$100,000 for unknown field conditions, for a total cumulative amount not to exceed \$1,115,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- J. Request permission to waive competitive bidding, since it is advantageous in that this vendor is familiar with the requirements of the City's Department of Public Works and is one of the few laboratories certified to conduct these types of tests, and issue a purchase order to Florida-Spectrum Environmental Services, Inc., to conduct water quality testing as needed for all of Stage 2 By-Products Rule sampling and the distribution system, in a total cumulative amount not to exceed \$50,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- K. Request permission to issue a purchase order to Progressive Waste Solutions of FL, Inc., for the collection of garbage, yard and bulk, in a total cumulative amount not to exceed \$5,031,478. On August 11, 2015 the City Council granted this vendor an Exclusive Franchise for the collection of residential municipal solid waste pursuant to Request for Proposal No. 2014-15-9500-00-002. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- L. Request permission to issue a purchase order to Progressive Waste Solutions of FL, Inc., for solid waste disposal services, in a total cumulative amount not to exceed \$3,110,000. On July 12, 2016 the City Council awarded Hialeah Bid # 2015-16-9500-00-016 – *Solid Waste Disposal Services* to this vendor for the disposal of the City's Class I Waste. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- M. Request permission to waive competitive bidding, since it is advantageous in that this vendor is familiar with the requirements of the City's Department of Public Works and is one of the few laboratories certified to conduct these types of tests, and issue a purchase order to Florida-Spectrum Environmental Services, Inc., to conduct water quality testing as needed for the Reverse Osmosis Water Treatment Plant, in a total cumulative amount not to exceed \$50,000, with Miami Dade County Water and Sewer Department being responsible for fifty percent (50%) of the expenditure which equals \$25,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

3. ADMINISTRATIVE ITEMS

- 3A. Second reading and public hearing of proposed ordinance authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a ground lease with CCATT LLC., a Delaware limited liability company, to lease a site located at McDonald Park, 1185 West 74th Street, Hialeah, Florida, for the continued use of a monopole wireless communications tower for a term of five years, beginning on the commencement date of the lease term of November 20, 2017 and ending five years thereafter, with four consecutive optional renewal terms of five years, for an annual base rent of \$55,000 with an annual increase of 5% each year, 30% of any collocator rent, but not less than \$850 per month, a capital contribution of \$15,000, together with such rights and duties as more fully described in the ground lease, a copy of which is attached hereto and made a part hereof as Exhibit "1"; and granting a non-exclusive easement for ingress, egress in connection with the operation of the communications tower; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2018-002

Item was approved by the City Council on first reading on January 9, 2018.

REPORT: Motion to Approve Item 3A made by Council Vice-President Caragol, and seconded by Councilwoman Garcia Martinez. Motion passed 7-0.

3B. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article VI, entitled “Supplementary District Regulations”, Division 5 entitled “Uses”, by adding Subdivision XIII entitled “Prescribed Pediatric Extended Care”, by adding § 98-2034 “Prescribed Pediatric Extended Care”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date. (ADMINISTRATION)
APPROVED 7-0

REPORT: Motion to Approve Item 3B made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

Item was approved by the Planning and Zoning Board on January 10, 2018.

3C. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article I, entitled “In General”, Section 98-1 Definitions, of the Code of Ordinances of the City of Hialeah, by adding definitions for dental clinic and medical clinic; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date. (ADMINISTRATION)
APPROVED 7-0

REPORT: Motion to Approve Item 3C made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

Item was approved by the Planning and Zoning Board on January 10, 2018.

3D. First reading of proposed ordinance creating a new Article VI, entitled “Special Assessments for Capital Improvements”, in Chapter 89, Taxes and Fees, of the Code of Ordinances of the City of Hialeah, Florida, relating to the funding of capital improvements through the imposition of special assessments; providing the procedure for the imposition of such special assessments; providing definitions; authorizing the imposition and collection of special assessments to fund the cost of capital improvements providing a special benefit to real property within the City; authorizing the creation of assessment areas; providing for the optional and mandatory prepayment of assessments; establishing procedures for notice and adoption of assessment rolls and for correction of errors and omissions; providing that assessments constitute a lien on assessed property upon adoption of the assessment rolls; establishing procedures and methods for collection of assessments, including assessments imposed on government property; authorizing the issuance of obligations secured by assessments; providing that such obligations will not create a general debt or obligation of the City; providing for severability; providing a savings clause; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)
APPROVED 7-0

REPORT: Motion to Approve Item 3D made by Councilman Hernandez, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

3E. First reading of proposed ordinance amending Chapter 98, entitled “Zoning”, Article VI, entitled “Supplementary District Regulations”, Division 5 entitled “Uses”, Subdivision IX entitled “Residential Care and Treatment Facilities”, by repealing and replacing §§ 98-1986 through 98-1988, respectively entitled “Definitions”, Limited Supervisory Residential Care and Treatment Facilities”, and “Supervisory Residential Care and Treatment Facilities” of the Code of Ordinances of the City of Hialeah, Florida, with updated regulations §§ 98-1986 through 98-1988; and by adding new sections 98-1989 entitled “Community Residential Homes”, Section 98-1990 entitled “Reasonable Accommodation”, 98-1991 entitled “Emergency Power”, and 98-1992, entitled “No Use Variances”; for siting of care and treatment facilities in the City; repealing all prior ordinances in conflict herewith; providing for penalties; providing for severability; providing for inclusion in the code; providing for an effective date. (ADMINISTRATION)

APPROVED 6-1

REPORT: David Jove, Assistant City Attorney, City of Hialeah, presented the City Council with a PowerPoint Presentation.

REPORT: Deborah Storch, Planning & Zoning Director, addressed the City Council.

REPORT: Motion to Approve Item 3E made by Council Vice President Caragol, and seconded by Councilman Hernandez. Motion passed 6-1 with Councilwoman Garcia-Martinez voting “No”. Second reading and public hearing is scheduled for February 13, 2018.

3F. First reading of proposed ordinance banning the operation of Medical Marijuana Treatment Center and Dispensing Facilities; repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED 7-0.**

REPORT: David Jove, Assistant City Attorney, City of Hialeah presented the City Council with a PowerPoint presentation.

REPORT: Motion to Approve Item 3F made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

4. BOARD APPOINTMENTS

4A. Proposed resolution re-appointing **Robert Williams Jr.** to the Board of Trustees of the Employees General Retirement System as the board members’ appointment, for a two (2) year term ending on December 31, 2019. (BOARD MEMBERS OF THE EMPLOYEES GENERAL RETIREMENT SYSTEM)

APPROVED 7-0

RESOLUTION NO. 2018-005

REPORT: Motion to Approve Item 4A made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 7-0.

5. UNFINISHED BUSINESS

REPORT: NONE

6. NEW BUSINESS

REPORT: NONE

7. COMMENTS AND QUESTIONS

- Frank De La Paz, 10655 SW 113 Place, addressed the City Council to congratulate the Law Department and discussed a topic for the City Council's consideration in regard to group homes.
- Carlos Barragan, 8879 West 33rd Avenue, Vice President of Aragon Homeowner's Association, addressed the City Council with concerns regarding speeding and stop sign violations occurring in the Aragon and Bonterra communities.
- Elizabeth Alo, 3357 West 91 Terrace, Hialeah, FL., addressed the City Council with concerns pertaining to the Aragon and Bonterra communities.
- Christiane Diaz, 9712 West 34 Lane, Vice President of Bonterra Homeowner's Association, addressed the City Council with concerns pertaining to the Aragon and Bonterra communities.
- Carlos Barragan, 8879 West 33rd Avenue, addressed the City Council regarding the proposed ordinances heard by the City Council for medical marijuana and group homes.
- Mirta Lopez, 730 East 30th Street, addressed the City Council with concerns on closed alleys.
- Dr. Midhat Abdulreda, 8690 West 33 Avenue, addressed the City Council with concerns pertaining to the Aragon community.
- Gretchen Abdulreda, 8690 West 33 Avenue, Hialeah, FL., addressed the City Council with a speeding concern on 97th Avenue.
- Eduardo Lavin, 8822 West 34th Court, addressed the City Council with concerns on Aragon and Bonterra communities.
- Jorge Mantillo, 3388 West 92 Place, addressed the City Council with concerns pertaining to the Aragon and Bonterra communities.

- Sivl Narvaez, 3241 West 97th Street, Hialeah, FL. 33018, addressed the City Council with concerns pertaining to concerns related to 97th Avenue.
- Jose Sanchez, Director of Streets, City of Hialeah, 900 East 56 Street, addressed the concern of the asphalt on 97th Avenue.

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

PZ 1. Second reading and public hearing of proposed ordinance closing, vacating and abandoning for public use the western portion of the 12 foot alley running east and west, between East 8th Avenue and East 9th Avenue, extending eastward approximately 235.54 feet, more or less, from East 8th Avenue, Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Abreu Development, LLC, 2375 N.W. 70th Avenue, B-4, Miami, Florida 33122*)

APPROVED 7-0

ORDINANCE NO. 2018-003

<i>Item was approved by the City Council on first reading on January 9, 2018.</i>
<i>Item was approved on first reading by the City Council on November 28, 2017. Second reading and public hearing was scheduled for December 12, 2017. On December 12, 2017 the item was tabled until January 9, 2018. Item will be reheard on first reading on January 9, 2018 due to the need to re-advertise changes made to the proposed ordinance</i>
<i>Item was approved by the Planning and Zoning Board on November 15, 2017.</i>
<i>Planner's Recommendation: Approval</i>

REPORT: Motion to Approve Item PZ 1 made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 7-0.

PZ 2. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking District). **Property zoned R-1 located at 520-530 West 78th Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith, providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Javier L. Vazquez Esq., 1450 Brickell Avenue, 19th Floor, Miami, FL 33131, on behalf of the property owner*)

APPROVED 7-0

ORDINANCE NO. 2018-004

<i>Item was approved on first reading by the City Council on January 9, 2018.</i>
<i>Item was approved by the Planning & Zoning Board on December 13, 2017.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Cristo Vive, 520 West 78th Street, Hialeah, FL 33014 & 530 West 78th Street, Hialeah. FL. 33014</i>
<i>Registered Lobbyist: Javier Vazquez, 1450 Brickell Avenue, 19th Floor, Miami, Florida 33131</i>

REPORT: Motion to Approve Item PZ 2 made by Councilwoman Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 7-0.

PZ 3. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to R-2 (One and Two Family Residential District); and granting a variance permit to allow for the replatting of the property into two substandard lots: the corner lot with a frontage of approximately 39.75 feet, where 75 feet are required; a total area of approximately 4,265 square feet, where 7,500 square feet are required, lot coverage of 32% where 30% is the maximum allowed; 14.16 feet street side setback, where 15 feet are required; no interior east side setback; where 7.5 feet is the minimum required; and for the interior lot allow a total area of approximately 4,265 square feet, where 7,500 square feet are required; 41% where 30% is the maximum allowed; no interior west side setback for interior lot, where 7.5 feet are required, interior east side setback of 5 feet 1 inch, where 7.5 feet are required; interior lot frontage of approximately 31 feet, where 75 feet are required; and allow a temporary waiver of plat provided final plat approval is obtained in 18 months, all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, and 98-2056(b)(2); and Hialeah Development Code § 10-4(c). **Property located at 808 East 32 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: EFG 808, LLC, 6619 South Dixie Hwy, #231, Miami, Florida 33143*)

APPROVED 7-0

ORDINANCE NO. 2018-005

<i>Item was approved on first reading by City Council on January 9, 2018.</i>
<i>Item was approved subject to Declaration of Restrictions by the Planning and Zoning Board on December 13th, 2017.</i>
<i>Planner's Recommendation: Approval subject to Declaration of Restrictions</i>
<i>Owners of the Property: Orlando Cordoves, 808 East 32nd Street. Hialeah, FL. 33143</i>

REPORT: Motion to Approve Item PZ 3 made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 7-0.

PZ 4. Second reading and public hearing of proposed ordinance granting variance permit on a substandard lot to allow the construction of a new single family residence having a lot area of 5,400 square feet, where 7,500 feet are required; a frontage of 40 feet, where 75 feet are required; all contra to Hialeah Code of Ordinances §§ 98-499 and 98-502; property zoned R-1 (One Family District). **Property located at 51 East 60 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Orlando Ceballos 1015 Bluebird Avenue, Miami Springs, FL 33166)

APPROVED 7-0

ORDINANCE NO. 2018-006

<i>Item was approved on first reading by City Council on January 9, 2018.</i>
<i>Item was approved with conditions by the Planning and Zoning Board on December 13th, 2017.</i>
<i>Planner's Recommendation: Approval with condition that the construction of the new house gets completed within 18 months.</i>
<i>Owners of the Property: Orlando Ceballos 1015 Bluebird Avenue, Miami Springs, FL 33166</i>

REPORT: Motion to Approve Item PZ 4 made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 7-0.

PZ 5. First reading of proposed ordinance granting a variance permit on a substandard lot to allow an existing single family residence having a lot area of 5,392 square feet, where 7,500 feet are required; a frontage of 40 feet, where 75 feet are required; all contra to Hialeah Code of Ordinances §§ 98-499; property zoned R-1 (One Family District). **Property located at 53 East 60 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Alejandro Izaguirre, 53 East 60th Street, Hialeah, FL 33013)

APPROVED 7-0

<i>Item was approved on first reading by the City Council on January 9th, 2018. Second reading and public hearing was scheduled for January 23, 2018. Item will be reheard on first reading on January 23, 2018 due to the need to re-advertise changes made to the proposed ordinance.</i>
<i>Item was approved on first reading by the City Council on January 9, 2018.</i>

<i>Item was approved by the Planning and Zoning Board on December 13, 2017.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Alejandro Izaguirre, 53 East 60th Street, Hialeah, FL 33013</i>

REPORT: Motion to Approve Item PZ 5 made by Councilwoman Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

PZ 6. Second reading and public hearing of proposed ordinance granting a variance permit to allow a front setback of 5 feet where 10 feet is required; allow 100% of the units to have less than 850 square feet where 850 square feet is required; allow a 13.5% pervious area, where 30% is required and allow 13 parking spaces, where 34 parking spaces are required, to allow the construction of a mixed use building; all contra to Hialeah Code of Ordinances §§ 98-1630(e)(1), 98-1630.2, 98-2056(b)(1) and 98-2189(16)(a) and (b); property zoned C-1 (Commercial) within area 1 of the Neighborhood Business District. **Property located at 4260 Palm Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Alejandro Vilarello, P.A 16400 NW 59th Avenue, 2nd Floor, on behalf of the property owner*)

APPROVED 7-0

ORDINANCE NO. 2018-007

<i>Item was approved on first reading by the City Council on January 9, 2018.</i>
<i>Item was approved with conditions by the Planning and Zoning Board on December 13, 2017.</i>
<i>Planner's Recommendation: Approval subject to alternative parking arrangement.</i>
<i>Registered Lobbyist: Alejandro Vilarello, Esq., 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, Florida 33014</i>
<i>Owner of the Property: 4260 Palm Ave, LLC</i>

REPORT: Motion to Approve Item PZ 6 made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 7-0.

PZ 7. Second reading and public hearing of proposed ordinance granting a variance permit to allow a previous area of 24 percent, where 30 percent is required, allow a dumpster enclosure to be located 5 feet from the street's right-of-way, where 10 feet is required, and waive a portion of the City of Hialeah Landscape Manual requirements updated July 9, 2015 to allow a landscape buffer of 5 feet, where 7 feet are required, all contra to Hialeah Code of Ordinances §§98-2056(b)(1) and 78-104(c)(1); **Property located at 336 East 6th Street, Hialeah, Florida;** property zoned R-3-D (Multifamily District). Providing penalties for violation hereof; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date. (*Applicant: Alejandro Vilarello, P.A 16400 NW 59th Avenue, 2nd Floor, Miami Lakes, FL 33134, on behalf of Blue Horsebit 1, LLC*)

APPROVED 7-0
ORDINANCE NO. 2018-008

Item was approved on first reading by City Council on January 9, 2018.

Item was approved with conditions by the Planning and Zoning Board on December 13th, 2017.

Planner's Recommendation: Approval with conditions.

Owner of the Property: Blue Horsebit I, LLC

REPORT: Motion to Approve Item PZ 7 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

PZ 8. Second reading and public hearing of proposed ordinance granting a variance permit to allow a temporary waiver of plat provided final plat approval is obtained in 18 months, pursuant to Hialeah Land Development Code § 10-4(c); property zoned BDH (Business Development District). **Property located at 3651 West 108 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (*Applicant: Michael Osman, 1474- A West 84th Street, Hialeah, FL 33014*)

APPROVED 7-0
ORDINANCE NO. 2018-009

Item was approved on first reading by the City Council on January 9, 2018.

Item was approved by the Planning and Zoning Board on December 13th, 2017.

Planner's Recommendation: Approval

Registered Lobbyist: L. Michael Osman, 1474-A West 84 Street, Hialeah, Florida 33014

Owner of the Property: SFACS Real Estate, LLC, 18305 N.W 75th Place, Hialeah, FL. 33015.

REPORT: Motion to Approve Item PZ 8 made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

PZ 9. First reading of proposed ordinance rezoning property from R-1 (One Family District) to R-2 (One and Two Family Residential District); and granting a variance permit to allow construction of a duplex on two substandard lots: each having a frontage of 50 feet, where 75 feet are required; a total area of approximately 6,750 square feet, where 7,500 square feet are required, and on the corner lot allow an interior west side setback of 5 feet, where 7.5 feet is the minimum required; contra to Hialeah Code of Ordinances §§ 98-544, 98-546, and 98-2056(b)(2). **Property located at 183 East 16 Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Alejandro Vilarello, P.A., 16400 N.W. 59th Avenue, 2nd Floor, on behalf of 16th ST Development, LLC*)

APPROVED 7-0

<i>Registered Lobbyist: Anthony Escarra, 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, FL.</i>
<i>Item was approved by the Planning and Zoning Board on January 10, 2018.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: 16th ST Development, LLC, 16400 N.W 59 Avenue 2nd Floor, Miami Lakes, FL 33134.</i>

REPORT: Motion to Approve Item PZ 9 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

PZ 10. First reading of proposed ordinance granting a variance permit to allow one LED Pylon Sign on property located outside the permitted geographic area; having a distance of 235 feet radius from residential-zoned properties, where a 300 foot radius is required; contra to Hialeah Land Development Code §§ 7-12(b) and (e); property zoned C-3 (Commercial). **Property located at 1650 West 68 Street, Hialeah, Florida;** repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Primera Iglesia Bautista de Hialeah, 1650 West 68 Street, Hialeah, FL 33014*)

APPROVED 4-3

<i>Registered Lobbyist: Rolando Fontiwba, 2450 NW 77 Terrace, Miami, FL. 33147.</i>
<i>Item was approved by the Planning & Zoning Board on January 9, 2018.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Primera Iglesia Bautista de Hialeah, 1650 West 68th Street, Hialeah, FL 33014.</i>

REPORT: Rolando Fontiwba, 2415 NW 77th Terrace, Miami, FL. 33147, addressed the City Council on behalf of the sign company.

REPORT: Motion to Approve Item PZ 10 made by Council Vice President Caragol, and seconded by Councilwoman Lozano. Motion passed 4-3 with Councilwoman Cue-Fuente, Councilwoman Garcia-Martinez and Council-President Casáls-Muñoz voting "No". Second reading and public hearing is scheduled for February 13, 2018.

PZ 11. First reading of proposed ordinance extending the grant under a Special Use Permit (SUP) pursuant to Ordinance No 2014-56 that allowed the use of a prefabricated building on property zoned M-1 (Industrial District) for extended period of time not exceeding 42 months from the effective date thereof, namely September 25, 2014, for a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages. **Property located at 6001 East 8 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof;

providing for a severability clause; and providing for an effective date. (Applicant: United Parcel Services, Inc. (Mark Welsh), 6001 East 8th Avenue, Hialeah, FL 33013)

APPROVED 7-0

<i>Registered Lobbyist: Hillary Hepp, Stephan Barrios, 605 Delaney Avenue, Orlando, FL. 32081</i>
<i>Item was approved by the Planning & Zoning Board on January 9, 2018.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Mark Welsh, United Parcel Services, 6001 East 8th Avenue, Hialeah, FL. 33013.</i>

REPORT: Hillary Hepp, 605 Delaney Avenue, Orlando, FL. 32081, addressed the City Council representing UPS.

REPORT: Motion to Approve Item PZ 11 made by Council Vice President Caragol, and seconded by Councilman Hernandez. Motion passed 7-0. Second reading and public hearing is scheduled for February 13, 2018.

REPORT: Meeting was adjourned by Council President Casáls-Muñoz at 9:10 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, February 13, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 27, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).